

**In reply to ACA petition and multiple comments by collections company employees:**

There are two MAJOR problems with the arguments put forward by those who would have the FCC exempt predicatively dialed calls to cell phones for debt collection companies.

First, and most important, is that *most of those calls are not made to debtors*. Instead, most of the calls are made to those who happen to have a similar name as a debtor, those who may (or may not) be related to the debtor, neighbors of the debtor, those who have a phone number that used to belong to a debtor, or others who fall outside the category of debtors subject to debt collection. For these people, these calls are purely an unwarranted invasion of privacy and improper shifting of costs from the debt collector to a consumer who is not the target debtor. These are exactly the abuses Congress intended to halt with the TCPA.

Second, even for valid debtors, it is unfair to transfer the cost of predictive dialing to cell phones to a debtor who doubtlessly does not wish that trespass and conversion of his or her private resources. Additionally, there is substantial evidence that debt collection companies continue to abuse consumers beyond the time debts are legally collectible. Certainly, such calls should be prohibited to these debtors.

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